



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street, 3rd Floor
New York, New York 10007

October 22, 2007

BY HAND

Hon. Theodore H. Katz
United States Magistrate Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 1660
New York, New York 10007

Re: Song v. Potter, Nos. 05 Civ. 8132, 06 Civ. 904 (LAK) (THK)

Dear Judge Katz:

This Office represents the defendant, John E. Potter, Postmaster General of the United States, in the above-referenced consolidated employment discrimination actions. I write in response to Ben Song's "Plaintiff's declare for objecting the reply from defendant on 09/17/2007 and the letter from defendant to court on 9/25/2007," dated October 2, 2007, and to his letter to the Court dated October 7, 2007, but received by me today.

Pursuant to the terms of the Court's September 27, 2007 memo-endorsed order — which held: "Plaintiff is not to make any further submissions. The motion is fully submitted and no additional materials will be considered" — I respectfully request that Mr. Song's latest submissions be disregarded.

Thank you for your consideration of this request.

Respectfully,

MICHAEL J. GARCIA
United States Attorney

By:

[Signature]
MATTHEW L. SCHWARTZ
Assistant United States Attorney
Telephone: (212) 637-1945
Facsimile: (212) 637-2750

Plaintiff's October 2, 2007 submission will not be considered. Plaintiff has already submitted two responses to Defendant's motion, and he has been advised not to make any further submissions.

*10/23/07 S. Ordeet
Theodore H. Katz
U.S. J.*

COPIES MAILED
TO COUNSEL OF RECORD ON 10/23/07

Ben Song, *pro se*
99-30 59th Avenue, Apt. 2I
Rego Park, New York 11368